



WEB COPY

SA No. 708 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-12-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

SA No. 708 of 2025

AND

CMP NO. 26281 OF 2025, CMP NO. 26284 OF 2025

1. Tejraj Goutham Chand Surama Trust
Rep by its Managing Trustee Pavan
Kumar Surana, No.3/1, Mahaveer
Colony, EVK Sampath Salai, Chennai
7.

Appellant(s)

Vs

1. P. Kannappan
S/o. Late. Perumal Pillai, D.No.7/1,
Kutti Thambiran Lane, Pulianthope,
Chennai 012.

2.P. Karunakaran
S/o. Late. Perumal Pillai, D.No.8/1,
Besset Road, Perambur, Chennai 011.

3.The District Collector
Rajaji Salai, Chennai 1.

4.The Tahsildar
Fort Tondiarpet Taluk, Chennai 3.

5.Chennai Corporation
Rep by its Commissioner Ripon
Buildings, Chennai 3.

6.The Assistant Revenue Officer
Zone 6, Division 73, Chennai
Corporation, Ayanavaram, Chennai 23.

7.Pavan Kumar Surana



S/o. Goutham Chenad Surana, No.3/1,
Mahaveer Colony, EVK Sampath Salai,
Chennai 7.

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Respondent(s)

PRAYER

To set aside the Judgement and Decree dated 19-08-2025 in AS No. 240 of 2023 on the file the Vth Addl. City Civil Court Judge, at Chennai reversing the Judgment and Decree dated 28.07.2023 in OS No. 1228 of 2016 on the file of the VIII Assistant Judge City Civil Judge at Chennai and allow the above appeal and thus render justice.

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For Appellant(s): Praveen Alexander
Sathish Kumar
RAJESH
MULLAI
MAGESH
GOKUL
HEPSI

For Respondent(s): M/s G.sugumaran
Premavathi Sugumaran
V.shalini For R1
R-3 THE DISTRICT
COLLECTOR Rajaji Salai,
Chennai 1.
R-4 THE TAHSILDAR Fort
Tondiarpet Taluk, Chennai 3
R-5 CHENNAI CORPORATION
Rep By Its Commissioner Ripon
Buildings, Chennai 3.
R-6 THE ASSISTANT
REVENUE OFFICER Zone 6,
Division 73, Chennai
Corporation, Ayanavaram,
Chennai 23
R-7 PAVAN KUMAR SURANA
S/o. Goutham Chenad Surana,
No.3/1, Mahaveer Colony, EVK
Sampath Salai, Chennai 7.



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R2- No Such Person
Private Notice
R4 To R7 -served
R2- Left
R3- Postal Reciept Only Filed

ORDER

Heard the submission of the learned counsel for the appellant and perused the materials on records.

2. This second appeal is admitted on the following substantial questions of law:

i. Whether the sale deed, registered as sale deed document No. 2282 of 2003, executed by the first defendant in favour of second defendant Trust based upon the registered Will dated 24.11.1997, document No. 12 of 1997 is valid in law and binding upon the first respondent/plaintiff ?

ii. Whether second defendant Trust has cleared the existing loan amount of Rs.7,60,000/- pertaining to the suit property by way of a pay order No. 282949, dated 31.10.2002,, drawn on Karur Vysya Bank Ltd., in favour of Chinthadripet Co-op Bank Ltd., and Rs.10,000/- by cash as advance for settlement of mortgage loan against the suit property and legally purchase the suit property ?

iii. Whether the first appellate Court has erroneously decreed the suit based upon Ex.A13, final decree in OS No. 6166 of 2002 when the appellant was not a party to the said suit instituted by the plaintiff without impleading the second defendant in OS No. 6166 of 2002 leading to a grave error in the decree ?

3. Registry is directed to call for records from the Court below. Post the matter on 07.01.2026 along with Civil Miscellaneous Petition filed by the appellant.

05-12-2025

pbl

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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T.V.THAMILSELVI J.
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